

AMENDED

APPLICATION FOR PERMIT

Serial No. 9796

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office SEP - 5 1934
 Returned to applicant for correction MAY 14 1935
 Corrected application filed JUN 10 1935

The undersigned Frank McGregor _____
 Name of applicant
 of Ogden, County of Weaver,
 State of Utah, hereby makes application for
 permission to appropriate the public waters of the State of Nevada, as
 hereinafter stated. (If applicant is a corporation, give date and place
 of incorporation.)

1. The source of the proposed appropriation is Mill Creek
 Name of stream, lake, or other source
2. The amount of water applied for is 500 acre
One-second-foot equals 40 miners' inches
~~second~~-feet.
3. The water to be used for mining purposes
 Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
NE¹/₄ NE¹/₄ Sec. 29, T. 45 N., R. 56 E., M.D.M., at 4173 feet N. 9° 34'
 Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
W., from the SE corner of said Section.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

- (a) Number of acres to be irrigated is _____
- (b) Description of land to be irrigated _____
 Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

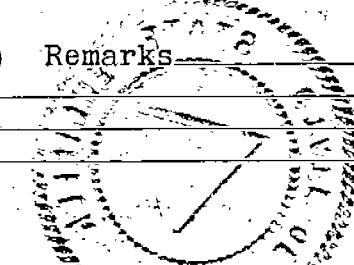
- (c) Use will begin about _____ and end about _____, of each year.
 Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

- (d) Power to be developed is _____ horsepower.
 Dam at point of diversion, reservoir in NW¹/₄ of
- (e) Works to be located Section 36, T. 45 N., R. 56 E., M.D.M., use on part
 Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
 of Secs. 7, 18, 26, 27, 28, 32, 33, T. 44 N., R. 56 E. end of Secs. 1, 2, 12, 13, 14, 23, 24, 25,
- (f) Point of return of water to stream M.D.M. along Penrod and Gold Creek
 Describe in same manner as point of diversion.
- below last point of use. Point of return will vary as ground is worked.
- (g) State number and kinds of animals to be watered _____

- (h) Use will begin about Jen. 1 and end about Dec. 31, of each year.
 Month Month

- (i) Remarks _____



DESCRIPTION OF PROPOSED WORKS

Water is to be diverted by means of a dam, conducted through a ditch

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water to the reservoir and thence through ditches or/and draws to the placer

is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

ground to be worked.

5. Estimated cost of works \$1,000.00

6. Estimated time required to construct works 12 months.

7. Remarks Works are constructed but need repair.

For use of applicant

Frank McGregor, Applicant.

By C. E. DeArmond

Compared H.B.C.T.

This sheet inspected

Protested September 23, 1935 by W. W. Whitaker, Engineer.

PROTESTED Aug. 17, 1935, by H. Moffat Co. c/o H.U. Castle, Elko, Nevada.

Protested Sept. 14, 1935 by Harold Wm. Merritt and Fred Foss Jr.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to appropriate and store any surplus or unappropriated waters of Mill Creek and Tributaries is granted subject to all vested rights and all prior rights for storage on the source and particularly subject to that stipulation appearing on Page 13 of the transcript of proceedings of a hearing March 31, 1936, at Elko, Nevada, on applications 9742-9796 and 9797. The state reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 500 cubic feet per second acre feet

Actual construction work shall begin on or before November 1, 1936

Proof of commencement of work shall be filed before December 1, 1936

Work must be prosecuted with reasonable diligence and be completed on or before November 1, 1938

Proof of completion of work shall be filed before December 1, 1938

Application of water to beneficial use shall be made on or before November 1, 1939. Proof of the application of water to beneficial

use must be filed with State Engineer on or before December 1, 1939

May 12, 1935

Proof of commencement of work filed JAN 22 1943 WITNESS MY HAND AND SEAL this 30th day

Proof of completion of work filed JAN 22 1943

Proof of Beneficial use filed JAN 22 1943 of April 1936

Map filed September 28, 1943 for 500 acre feet Jan. Dec. 31

Certificate No. 2751 issued December 10, 1943 for Mining

Recorded December 24, 1943, Page 302-303

Alfred Merritt Smith
State Engineer.